

# ***NEWS RELEASE***

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***OFFICE OF THE UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF CALIFORNIA  
San Diego, California***

***United States Attorney  
Carol C. Lam***

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***For Immediate Release***

**FORMER INS ASSISTANT AREA PORT DIRECTOR CHARGED  
WITH CONSPIRACY, ACCEPTANCE OF GRATUITIES,  
AND FALSE STATEMENTS**

**NEWS RELEASE SUMMARY** - June 7, 2005

United States Attorney Carol C. Lam announced that a federal grand jury sitting in San Diego today handed up a nine-count indictment charging Daphiney Kimberly Caganap, a former Assistant Area Port Director in the San Diego District of the Immigration and Naturalization Service (INS), with conspiracy to defraud the United States of honest services, acceptance of gratuities and making false statements.

The indictment alleges that during 2000 and 2001, in her official capacity as supervisor of the local INS intelligence unit, Caganap received money and other things of value – including a deluxe above-ground spa and car repairs-- from a corrupt INS inspector at the San Ysidro, California Port of Entry. The indictment alleges that a criminal organization was paying the corrupt INS inspector to allow marijuana and illegal aliens to be smuggled into the United States from the Republic of Mexico. The indictment further alleges

that Caganap knew about large weekly payoffs of thousands of dollars received by the corrupt inspector, and did not disclose to the Office of the Inspector General her knowledge of the full scope of the inspector's criminal activities.

According to Assistant U.S. Attorney Edward C. Weiner, who is prosecuting the case, the overt acts set forth in the conspiracy count detail a number of meetings and telephone conversations between Caganap and the corrupt inspector which coincide with the dates of free repair work on Caganap's Mercedes Benz, of her receipt of an above-ground spa worth \$9,986.75, and of cash payments to her ranging between \$20,000 and \$30,000.

United States Attorney Lam stated, "Corruption within the ranks of law enforcement is a breach of trust and a threat to public safety, and it simply can't be tolerated."

According to FBI Special Agent in Charge Daniel R. Dzwilewski, "Officials in high places will not be permitted to cover up criminal activities of other employees. When false statements are made to investigators, even years after the events, such dishonesty will be exposed and punished."

Joseph Artes, OIG Special Agent in Charge added, "Official corruption is criminal and treacherous. It betrays both the public and all of the honest men and women in law enforcement." He added that Caganap, who is presently the Port Director for the Bureau of Customs and Border Protection at the Detroit, Michigan Airport, will be placed on administrative leave pending resolution of this case.

The investigation was spearheaded by the Border Corruption Task Force led by the Federal Bureau of Investigation (FBI), the Office of Inspector General of the Department of Homeland Security (OIG) and the Immigration and Customs Enforcement (ICE), Office of Professional Responsibility in San Diego, California.

## **DEFENDANT**

Daphiney Kimberly Caganap

## **SUMMARY OF CHARGES**

Number of Defendants: 1

Number of Counts in Indictment: 9

Violations: Conspiracy to defraud the United States of honest and faithful services  
(18 U.S.C. § 371) (1 Count)  
The one count carries a maximum penalty of 5 years' imprisonment and a \$250,000 fine.

Acceptance of gratuities  
(18 U.S.C. § 201(c)(1)(B)) (3 Counts)  
Each count carries a maximum penalty of two years' imprisonment and a \$250,000 fine.

False Statements  
(18 U.S.C. § 1001(a)(2)) (5 Counts)  
Each count carries a maximum penalty of 5 years' imprisonment and a \$250,000 fine.

### **INVESTIGATING AGENCIES**

Federal Bureau of Investigation  
Office of Inspector General, Department of Homeland Security  
Immigration and Customs Enforcement, Office of Professional Responsibility

**An indictment is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.**